

REMARKS

Applicants respectfully request further examination and reconsideration in view of the above amendments and the arguments set forth fully below. In the Office Action dated January 26, 2007, claims 41-46 and 57-90 have been rejected. In response, the Applicants have submitted the following remarks, amended claims 41, 65 and 79, and cancelled claims 43, 44 and 69. Accordingly, claims 41-42, 45-46, 57-68 and 70-90 are now pending. Favorable reconsideration is respectfully requested in view of the amended claims and the remarks below.

Information Disclosure Statement

Within the Office Action, it is stated that the Information Disclosure Statement filed April 18, 2001 fails to comply with 37 C.F.R. §1.98(a)(2), which requires a legible copy of each cited foreign patent document; each non-patent literature publication or that portion which cause it to be listed; and all other information or that portion which causes it to be listed. The Applicants respectfully submit that the references the Examiner cites will be provided to the Examiner under separate cover.

Rejections Under 35 U.S.C. §112

Within the Office Action, it is stated that regarding claims 43 and 44, the phrase “or the like” renders the claims indefinite because the claims include elements not actually disclosed, thereby rendering the scope of the claims unascertainable. By the above amendments, the Applicants have cancelled claims 43 and 44, and have included the limitations of these claims in the amended claim 41. Furthermore, the Applicants have amended the language of these limitations to remove the word “like” and insert a more clear description of those limitations. Therefore, the Applicants respectfully submit that the scope of these claims is now ascertainable and allowable over 35 U.S.C. §112, second paragraph.

Rejections Under 35 U.S.C. §102

Claims 41, 42, 62, 65, 69, 70, 72, 75 and 77 have been rejected under 35 U.S.C. §102(e) as being anticipated by U.S. Patent No. 5,506,848 to Drakopoulos et al. (hereinafter Drakopoulos). The Applicants respectfully disagree with this rejection.

Drakopoulos discloses a demand assignment system and method for mobile users in a community of interests where the procedure operates by receiving time slot reservation requests from mobile users during a first frame, wherein each of the time slot reservation requests comprises information identifying a source end user and a destination end user. During the first frame, voice traffic matrix and a data traffic matrix are generated by using the time slot reservation request. The voice traffic matrix comprises source end user information and destination end user information for all active voice calls, and the data traffic matrix comprises source end user and destination end user information for all pending data packets. Also during the first frame, time slot assignment information is generated based on the voice traffic matrix and the data traffic matrix. This time slot assignment information is then transmitted to the mobile users. The mobile users transmit and receive voice packets and data packets during time slots of the second frame as specified by the time slot assignment information (Drakopoulos, abstract). Within the Office Action, it is stated that Drakopoulos teaches at least some of the RF transceivers of the plurality transmitting and receive data on different RF channels. The Office Action cites column 3, lines 23-29 of Drakopoulos. However, the Applicants respectfully submit that this citation does not teach some of the RF transceivers of the plurality transmitting and receiving data on different RF channels. Furthermore, nowhere in the Drakopoulos reference is this taught.

In contrast to the teachings of Drakopoulos, the architecture for TDMA medical telemetry system of the present invention includes a plurality of RF transceivers distributed throughout an area and a plurality of wireless communications devices which communicate bi-directionally with a centralized computer via the RF transceivers. At

least some of the RF transceivers transmit and receive data on different RF channels, and furthermore at least one of the plurality of wireless communication devices maintains connections with at least two different RF transceivers at the same time, and the wireless communication device transmits a set of corresponding data packets to the centralized computer via each of the two different RF transceivers. The centralized computer selects one of the two sets of data packets based upon error detection code contained within the set of corresponding data. The RF transceivers taught and claimed in the present invention do not perform error detection nor attach a frame quality metric to the data packets.

The Applicants have amended the independent claim 41 to include the limitations of claims 43 and 44, which the Examiner has rejected under 35 U.S.C. §103 utilizing Drakopoulos as well as U.S. Patent No. 6,222,830 to Padovani et al. (hereinafter Padovani). Therefore, the Applicants will discuss Padovani in combination with Drakopoulos at this time. Padovani teaches a novel and improved system and method for assembling a single data stream for multiple instances of that data stream (Padovani, abstract). Within the Office Action, column 8, lines 55-67 are cited as describing in detail the elements of the Applicants claim 43. However, the Padovani reference teaches a system where individual frames are analyzed by a plurality of base transceiver stations, and the base transceiver stations perform error detection procedures on the frames, and subsequently form a packet by adding a rate 306, frame quality metric 308, time stamp 310, and an address 312 to the selected data frame 300 to form a packet 305 before forwarding the packet to the base station controller for comparison. In contrast to Padovani, the system of the present invention sends two packets to each RF transceiver, which in turn, forwards that set of data packets to the centralized computer for analysis. In short, the RF transceivers of the present invention perform a very different function and purpose of the base transceiver stations of the Padovani reference.

Claim 41 is directed to a communication system which supports the mobility of wireless communication devices throughout a building comprising at least one centralized

computer, a plurality of RF transceivers connected to the at least one centralized computer, the RF transceivers distributed throughout buildings such that different transceivers provide coverage for different regions of the building, at least some of the RF transceivers of the plurality transmitting and receive data on different RF channels, and a plurality of wireless communications devices which communication bi-directionally with the at least one centralized computer via the plurality of RF transceivers, the plurality of wireless communication devices communicating with the RF transceivers using a wireless time division access (TDMA) protocol, the wireless TDMA protocol including a switchover protocol in which the wireless communications devices connect to different RF transceivers of the plurality based upon the assessments of RF link conditions between individual wireless communication devices and individual RF transceivers, the wireless TDMA protocol thereby supporting the mobility of the wireless communications devices between the different regions of the building, wherein at least one of the wireless communications devices maintains respective wireless connections with at least two different RF transceivers of the plurality of RF transceivers at a time, and transmits a set of corresponding data packets to the centralized computer via each of the two different RF transceivers, and wherein the centralized computer selects one of the set of corresponding data packets received from the different RF transceivers based upon error detection codes contained within the set of corresponding data packets, and further wherein the at least one wireless communications device transmits the set of corresponding data packets to the at least two RF transceivers on different respective RF frequencies. As discussed above, Drakopoulos does not teach at least some of the RF transceivers of the plurality transmitting and receiving data on different RF channels, and further Padovani does not teach the limitations previously included in claim 43. For at least these reasons, Drakopoulos does not anticipate the independent claim 41, and furthermore the combination of Drakopoulos and Padovani does not include the limitations of the amended claim 41 nor make claim 41 obvious in light of Drakopoulos

and Padovani. For at lease these reasons, the independent claim 41 is allowable over Drakopoulos, Padovani, and their combination.

Claims 42 and 62 are dependent upon the independent claim 41. As dicussed above, the independent claim 41 is allowable over the teachings of Drakopoulos and Padovani. Accordingly, claims 42 and 62 are also allowable as being dependent upon an allowable base claim.

The Applicant has amended the independent claim 65 to also include the limitations of claims 43 and 44. Therefore, the Applicants respectfully submit that the independent claim 65 is allowable for the same reasons as discussed above with respect to the independent claim 41.

Claims 70, 72, 75 and 77 are dependent upon the independent claim 65. As discussed above, the independent claim 65 is allowable over the teachings of Drakopoulos, Padovani and their combination. Accordingly, claims 70, 72, 75 and 77 are also allowable as being dependent upon allowable base claim. Claim 69 has been cancelled.

Rejections Under 35 U.S.C. §103

Claims 43, 44, 60, 61, 73 and 74 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Drakopoulos in view of Padovani. Claims 60, 61, 73 and 74 are dependent upon the independent claims 41 and 65. As discussed above, the independent claims 41 and 65 are allowable over the teachings of Drakopoulos and Padovani. Accordingly, claims 60, 61, 73 and 74 are also allowable as being dependent upon an allowable base claim. Claims 43 and 44 have been cancelled.

Claims 45 and 67 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Drakopoulos in view of U.S. Patent No. 6,813,277 to Edmond et al. (hereinafter Edmond). Claims 45 and 67 are dependent upon the independent claims 41 and 65. As discussed above, the independent claims 41 and 65 are allowable over the teachings of Drakopoulos and Pandovani. Accordingly, claims 45 and 67 are also allowable as being dependent upon an allowable base claim.

Claims 57, 58, 68, 71, 79-81, 83, 86 and 90 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Drakopoulos in view of U.S. Patent No. 6,192,038 to Wallerius et al. (hereinafter Wallerius).

Claims 57, 58, 68 and 71 are dependent upon the independent claims 41 and 65. As discussed above, the independent claims 41 and 65 are allowable over the teachings of Drakopoulos and Padovani. Accordingly, claims 57, 58, 68 and 71 are also allowable as being dependent upon an allowable base claim.

The Applicant has amended the independent claim 79 to include the limitations of claims 43 and 44 as discussed with respect to the independent claims 41 and 65. Therefore, the Applicants respectfully submit that the independent claim 79 is allowable for the same reasons as discussed with respect to the independent claims 41 and 65.

Claims 80, 81, 83, 86 and 90 are dependent upon the independent claim 79. As discussed above, the independent claim 79 is allowable over the teachings of Drakopoulos and Padovani. Accordingly, claims 80, 81, 83, 86 and 90 are also allowable as being dependent upon an allowable base claim.

Claim 59 has been rejected under 35 U.S.C. §103(a) as being unpatentable over Drakopoulos in view of U.S. Patent No. 5,754,956 to Abreu et al. (hereinafter Abreu). Claim 59 is dependent upon the independent claim 41. As discussed above, the independent claim 41 is allowable over the teachings of Drakopoulos and Padovani. Accordingly, claim 59 is also allowable as being dependent upon an allowable base claim.

Claim 63, 64, 66, and 78 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Drakopoulos in view of U.S. Patent No. 4,775,996 to Emerson et al. (hereinafter Emerson). Claim 63, 64, 66 and 78 are dependent upon the independent claims 41 and 65. As discussed above, the independent claims 41 and 65 are allowable over the teachings of Drakopoulos and Padovani. Accordingly, claims 63, 64, 66 and 78 are also allowable as being dependent upon an allowable base claim.

Claims 46 and 76 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Drakopoulos in view of U.S. Patent No. 5,152,584 to Engira

(hereinafter Engira). Claims 46 and 76 are dependent upon the independent claims 41 and 65. As discussed above, the independent claims 41 and 65 are allowable over the teachings of Drakopoulos and Padovani. Accordingly, claims 46 and 76 are also allowable as being dependent upon an allowable base claim.

Claim 82 has been rejected under 35 U.S.C. §103(a) as being unpatentable over Drakopoulos in view of Wallerius and further in view of Edmon. Claim 82 is dependent upon the independent claim 65. As discussed above, the independent claim 65 is allowable over the teachings of Drakopoulos and Padovani. Accordingly, claim 82 is also allowable as being dependent upon an allowable base claim.

Claims 84 and 85 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Drakopoulos in view of Wallerius as applied to claim 79 above, and further in view of Padovani. Claims 84 and 85 are dependent upon the independent claim 65. As discussed above, the independent claim 65 is allowable over the teachings of Drakopoulos and Padovani. Accordingly, claims 84 and 85 are also allowable as being dependent upon an allowable base claim.

Claim 88 has been rejected under 35 U.S.C. §103(a) as being unpatentable over Drakopoulos in view of Wallerius as applied to claim 79 above, and further in view of Emerson. Claim 88 is dependent upon the independent claim 65. As discussed above, the independent claim 65 is allowable over the teachings of Drakopoulos and Padovani. Accordingly, claim 88 is also allowable as being dependent upon an allowable base claim.

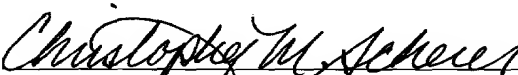
Claim 87 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Drakopoulos in view of Wallerius as applied to claim 79 above, and further in view of Engira. Claim 87 is dependent upon the independent claim 65. As discussed above, the independent claim 65 is allowable over the teachings of Drakopoulos and Padovani. Accordingly, claim 87 is also allowable as being dependent upon an allowable base claim.

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For these reasons, Applicants respectfully submit that all of the claims are now in a condition for allowance, and allowance at an early date would be appreciated. Should the Examiner have any questions or comments, they are encouraged to call the undersigned at 414-271-7590 to discuss the same so that any outstanding issues can be expeditiously resolved.

Respectfully submitted,

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